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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>NEW UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(only for new nonprovisional applications under 37 CFR 1.53(b))</small>	<b>Attorney Docket Number</b> 18279-08041  <b>First Named Inventor</b> Jay L. Gainsboro  <b>Title</b> COMPUTER BASED METHOD AND APPARATUS FOR CONTROLLING, MONITORING, RECORDING AND REPORTING TELEPHONE ACCESS  <b>Express Mail Label No.</b> EV 342133045 US
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17410 U.S. PTO  
10/606311  
06/24/03

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification <span style="float: right;">Total Pages <input type="text" value="47"/></span> (preferred arrangement set forth below)  <input checked="" type="checkbox"/> Descriptive Title of the Invention  <input checked="" type="checkbox"/> Cross Reference(s) to Related Case(s)  <input checked="" type="checkbox"/> Statement Regarding Fed sponsored R &amp; D  <input checked="" type="checkbox"/> Background of the Invention  <input checked="" type="checkbox"/> Brief Summary of the Invention  <input checked="" type="checkbox"/> Brief Description of the Drawing(s)  <input checked="" type="checkbox"/> Detailed Description  <input checked="" type="checkbox"/> Claim or Claims  <input checked="" type="checkbox"/> Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Formal Drawing(s) (35 U.S.C. 113) <span style="float: right;">Total Sheets <input type="text" value="6"/></span></p> <p>5. Oath or Declaration        a. <input type="checkbox"/> New Declaration <span style="float: right;">Total Pages <input type="text" value="2"/></span>  <input checked="" type="checkbox"/> Executed (executed copy of Dec. of parent Serial No. 08/726,217 (USP 5,926,533)        b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)        i. <input type="checkbox"/> DELETION OF INVENTOR(S)            Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))  <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>9. <input type="checkbox"/> Power of Attorney or Authorization of Agent</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement</p> <p>11. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>12. <input type="checkbox"/> Information Disclosure Statement &amp; PTO/SB/08A  <input type="checkbox"/> Copies of IDS Citation(s)</p> <p>13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>14. <input checked="" type="checkbox"/> Return Postcard</p> <p>15. <input type="checkbox"/></p> <p>16. <input type="checkbox"/></p> <p>17. <input type="checkbox"/></p>
<b>ADDRESS TO:</b> <b>Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b>	

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: 09/222,130

Group/Art Unit: 2645

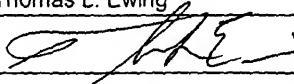
Prior application information: Examiner: Roland G. Foster  
For **CONTINUATION OR DIVISIONAL APPS only**: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number and Bar Code Label



00758

Name (Print/Type)	Thomas L. Ewing	Registration No. (Attorney/Agent)	34,328
Signature			Date
			June 24, 2003

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00)

Complete if Known	
Application Number	New
Filing Date	Herewith
First Named Inventor	Jay L. Gainsboro
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	18279-08041

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick &amp; West LLP

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Fee	Fee	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	750		
1002 330	2002 165	Design filing fee			
1003 520	2003 260	Plant filing fee			
1004 750	2004 375	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)		750			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	20 -20** = 0	X 0 = 0	0
Multiple Dependent	3 -3** = 2	X 0 = 0	0
			0

Large Entity	Small Entity	Fee	Fee	Fee Description
Code (\$)	Code (\$)	Fee	Fee	Fee Description
1202 18	2202 9	Claims in excess of 20		
1201 84	2201 42	Independent claims in excess of 3		
1203 280	2203 140	Multiple dependent claim, if not paid		
1204 84	2204 42	**Reissue independent claims over original patent		
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2) (\$ 0				

\*\*or number previously paid, if greater; For Reissues, see above

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 410	2252 205	Extension for reply within second month			
1253 930	2253 465	Extension for reply within third month			
1254 1,450	2254 725	Extension for reply within fourth month			
1255 1,970	2255 985	Extension for reply within fifth month			
1401 320	2401 160	Notice of Appeal			
1402 320	2402 160	Filing a brief in support of an appeal			
1403 280	2403 140	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,300	2453 650	Petition to revive - unintentional			
1501 1,300	2501 650	Utility issue fee (or reissue)			
1502 470	2502 235	Design issue fee			
1503 630	2503 315	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))			
1801 750	2801 375	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			
Other fee (specify)					
SUBTOTAL (3) (\$ 0					

Reduced by Basic Filing Fee Paid

## Complete (if applicable)

Name (Print/Type)	Thomas L. Ewing	Registration No. (Attorney/Agent)	34,328	Telephone 415-875-2336
Signature		Date	June 24, 2003	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Jay L. Gainsboro
	Title	COMPUTER BASED METHOD AND APPARATUS FOR CONTROLLING, MONITORING, RECORDING AND REPORTING TELEPHONE ACCESS
	Atty Docket Number	18279-08041

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 24, 2003

Date



Signature

Thomas L. Ewing/Reg. 34,328

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.